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**DELIBERATIVE AGENDA**  
**SPECIAL CITY COUNCIL WORKSESSION**  
**MONDAY, SEPTEMBER 10, 2012**  
**CONFERENCE ROOM 12, CITY HALL**  
**6:00 P.M. – 7:15 P.M.**

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1. AGENDA
2. DISCUSSION: Burlington Telecom Update (oral)
  - **\*\*\*\* EXPECTED EXECUTIVE SESSION \*\*\*\***
    - **6:00 p.m. – 6:45 p.m.**
3. COMMUNICATION: Joseph McNeil, Esq., re: Collective Bargaining (oral)
  - **\*\*\*\* EXPECTED EXECUTIVE SESSION \*\*\*\***
    - **6:45 p.m. – 7:15 p.m.**

4. ADJOURNMENT

**LOCAL CONTROL COMMISSION**  
**MONDAY, SEPTEMBER 10, 2012**  
**CONTOIS AUDITORIUM, CITY HALL**  
**7:30 P.M.**

1. AGENDA
2. CONSENT AGENDA

2.01. APPLICATION FOR SPECIAL EVENT PERMIT (two days only):

Whistle Pig Whiskey, Grand Point North Festival Taste of Vermont Tent, Waterfront Park, September 14- 15, 2012, 2 p.m. – 11 p.m.

\*waive the reading, accept the communication, place it on file and approve the two day only application for special event permit for Whistle Pig Whiskey

2.02. APPLICATIONS FOR SPECIAL EVENT PERMITS (three days only):

The Switchback Beerworks, 160 Flynn Avenue, October 12 – 14, 2012

- **10 Year Anniversary VIP Dinner, 10/12/12, 3:30 p.m. – 12:00 a.m.**
- **10<sup>th</sup> anniversary celebration, 10/13/12, 11:00 a.m. – 5:30 p.m.**
- **10 Year Anniversary Account Appreciation Lunch, 10/14/12, 11:00 a.m. – 5:00 p.m.**

\*waive the readings, accept the communications, place them on file and approve the applications for special event permits for The Switchback Beerworks contingent upon Fire Marshal approval

*Members of the public may speak when recognized by the Chair, during the Public Forum (time certain: 7:30 p.m.) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 on September 12, 2012 at 8:00 p.m., repeating at 1 a.m., 7 a.m. and 1 p.m. the following day. For information on access, call Scott Schrader, Assistant CAO for Administration and Management (865-7140) or Lori Olberg, Licensing, Voting and Records Coordinator (865-7136) (TTY 865-7142).*

2.03. EXTENSION OF OUTSIDE CONSUMPTION PERMIT HOURS (2012-2013):

Das Bierhaus, 175 Church Street

\*waive the reading, accept the communication, place it on file and approve the extension of outside consumption permit hours for Das Bierhaus, end time everyday 11:00 p.m.

2.04. EXTENSION OF OUTSIDE CONSUMPTION PERMIT HOURS (2012-2013):

El Gato Cantina, 169 Church Street

\*waive the reading, accept the communication, place it on file and approve the extension of outside consumption permit hours for El Gato Cantina as follows: end time Sun-Tues: 10:00 p.m.; end time Wed – Sat: 11:00 p.m.

2.05. FIRST CLASS CABARET LIQUOR LICENSE RENEWAL (2012-2013):

Remy Cooper, LC, d/b/a ½ Lounge, 136 ½ Church Street

\*waive the reading, accept the communication, place it on file and approve the 1<sup>st</sup> Class Carabet Liquor License Renewal for Remy Cooper, LLC with all standard conditions and contingent upon DLC seminar certification

2.06. OUTSIDE CONSUMPTION PERMIT RENEWAL (2012-2013):

Remy Cooper, LC, d/b/a ½ Lounge, 136 ½ Church Street

\*waive the reading, accept the communication, place it on file and approve the outside consumption permit renewal for Remy Cooper, LLC with all standard conditions and contingent upon DLC seminar certification

3. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2012-2013):

Crepemont, LLC, d/b/a Mr. Crepe (formerly Bangkok Bistro), 144 Church Street

3.01. OUTSIDE CONSUMPTION PERMIT APPLICATION (2012-2013):

Crepemont, LLC, d/b/a Mr. Crepe (formerly Bangkok Bistro), 144 Church Street

4. ADJOURNMENT

**REGULAR MEETING, CITY COUNCIL**  
**MONDAY, SEPTEMBER 10, 2012**

1. AGENDA

2. PUBLIC FORUM (Time Certain: 7:45 p.m.)

3. CONSENT AGENDA

4. RESOLUTION: November 6, 2012 Special City Meeting—Issuance of General Obligation Bonds for Working Capital Reserve Funds Authorized (Board of Finance)

5. RESOLUTION: November 6, 2012 Special City Meeting—Approval of Increase in Maximum Tax Rate for General City Purposes Authorized for Bike Path Improvement and Maintenance Fund (Board of Finance)

6. RESOLUTION: November 6, 2012 Special City Meeting—Issuance of General Obligation Bonds for Public Improvements Within the Waterfront TIF District (Board of Finance)
7. RESOLUTION: Approving the Sale of General Obligation Public Improvement Bonds, Series 2012A (Board of Finance)
8. RESOLUTION: One Percent Rooms and Meals Tax Increase and Burlington Bike Path Structural Improvements (Councilor Decelles)
9. RESOLUTION: November 6, 2012 Special City Meeting—Advisory Ballot Question Re Legalization of Cannabis and Hemp Products (Councilors Tracy, Adrian, Blais)
10. REPORT: Sean McKenzie, Chair, Design Advisory Board
11. REPORT: Austin D. Hart, Chair, Development Review Board, re: Annual Report
12. REPORT: Peter L. Potts, Chair, Burlington Planning Commission, re: Annual Report of The Burlington Planning Commission, Fiscal Year 2012 (July 1, 2011 – June 30, 2012)
13. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE Amendments Related to Residential Occupancy Limits in the RH District ZA #13-01 Councilors Shannon, Tracy, Bushor, Dober: Special Ordinance Committee)(2<sup>nd</sup> reading)
14. ORDINANCE: MINIMUM HOUSING – ADMINISTRATION AND ENFORCEMENT—Penalties (Code Enforcement; Councilors Mason, Dober, Bushor: Ordinance Committee)(2<sup>nd</sup> reading)
15. ORDINANCE: COMPREHENSIVE DEVELOPMENT ORDINANCE—Electronic Message Display ZA 12-08 (Planning Department, Planning Commission; Councilors Mason, Bushor, Dober: Ordinance Committee) (2<sup>nd</sup> reading)
16. ORDINANCE: ANIMALS & FOWL – At-large prohibited, PARKS—Animals prohibited; exception (Councilor Paul; Councilors Mason, Dober: Ordinance Committee; Councilor Shannon)(2<sup>nd</sup> reading)
17. REPORT: Peter Owens, CEDO Director, re: Moran Update (oral)(10 mins.)
18. COMMITTEE REPORTS (5 mins.)
19. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)
20. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)
21. ADJOURNMENT

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**CONSENT AGENDA**  
**REGULAR MEETING, CITY COUNCIL**  
**MONDAY, SEPTEMBER 10, 2012**

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- 3.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re:  
Accountability List  
\*waive the reading, accept the communication and place it on file
- 3.02. RESOLUTION: Authorization to Contract with Precipitator Services Group, Inc.  
For Electrostatic Precipitator Field Rebuild (Board of Finance)  
(supporting material in envelope marked “confidential”)  
\*waive the reading and adopt the resolution
- 3.03. RESOLUTION: Authorization to Contract with Evaptech, Inc. for Cooling Tower  
Timber Replacement (Board of Finance)(supporting material in  
envelope marked “confidential”)  
\*waive the reading and adopt the resolution
- 3.04. RESOLUTION: Authorization to Contract with Alstom Power, Inc. for Generator  
Rotor Removal and Replacement (Board of Finance)(supporting  
material in envelope marked “confidential”)  
\*waive the reading and adopt the resolution
- 3.05. RESOLUTION: Open Space Protection Plan Update (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.06. COMMUNICATION: Scott Gustin, Senior Planner, Burlington Conservation Board, re:  
Funding of the Burlington VT, Open Space Protection Plan Update  
\*waive the reading, accept the communication and place it on file
- 3.07. RESOLUTION: Authorization to Award a Contract for the Relining and Repair of the  
Delineated Pipes for Wastewater and Stormwater (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.08. RESOLUTION: Supplemental Budget Resolution #2012-04 Authorization for Acceptance  
and Appropriation of 2012 Justice Assistance Grant (JAG) Funding for  
Crime Prevention Programs (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.09. COMMUNICATION: Mayor Miro Weinberger, re; Acceptance of the 2013 JAG Grant  
\*waive the reading, accept the communication and place it on file
- 3.10. COMMUNICATION: Mayor Miro Weinberger, re: 2012 Justice Assistance Grant (JAG)  
Dated May 14, 2012  
\*waive the reading, accept the communication and place it on file
- 3.11. RESOLUTION: Appointment of Acting Inspectors of Election for Ward One (Councilor  
Shannon)  
\*waive the reading and adopt the resolution
- 3.12. RESOLUTION: Authorization to Enter into License Agreement to Erect and Maintain a  
Sign Extending Over a Portion of the City’s Right-of-way with Phoenix  
Books (Councilors Dober, Tracy, Blais: License Committee)  
\*waive the reading and adopt the resolution

- 3.13. RESOLUTION: Authorization to Enter into License Agreement to Erect and Maintain a Sign Extending Over a Portion of the City's Right-of-way with Liebling (Councilors Dober, Tracy, Blais: License Committee)  
\*waive the reading and adopt the resolution
- 3.14. RESOLUTION: Authorization to Enter into License Agreement to Maintain Tables and Chairs on a Portion of the City's Right-of-way with Das Bierhaus (Councilors Dober, Blais, Tracy: License Committee)  
\*waive the reading and adopt the resolution
- 3.15. RESOLUTION: License Agreement with KAS, Inc. to Install Ground Water Monitoring Wells on Portions of the Public Rights-of-way on Center Street, Bank Street, College Street and So. Winooski Ave. (Councilors Dober, Tracy, Blais: License Committee)  
\*waive the reading and adopt the resolution
- 3.16. RESOLUTION: Reclassification and Title Change Burlington Telecom Account Executive to Senior Commercial Account Executive (Board of Finance)  
\*waive the reading and adopt the resolution
- 3.17. COMMUNICATION: Susan Leonard, Human Resources Director and Benjamin Pacy, Human Resources Generalist to the Board of Finance, re: Burlington Telecom – Reclassification and Title Change for Account Executive Position  
\*waive the reading, accept the communication and place it on file
- 3.18. RESOLUTION: Request to Develop a Strategy and Plan to Reconstitute the Advisory Committee on Accessibility (Councilor Bushor)  
\*waive the reading and adopt the resolution
- 3.19. RESOLUTION: Authorization to Enter into License Agreement to Erect and Maintain An Awning Extending Over a Portion of the City's Right-of-way with Draker Solar Properties (Councilors Dober, Tracy, Blais: License Committee)  
\*waive the reading and adopt the resolution
- 3.20. INDOOR ENTERTAINMENT PERMIT RENEWAL (2012-2013): Remy Cooper, LLC  
\*waive the reading, accept the communication, place it on file and approve the 2012-2013 Indoor Entertainment Permit Renewal for Remy Cooper, LLC with all standard conditions and contingent upon DLC seminar certification
- 3.21. SPECIAL EVENT OUTDOOR ENTERTAINMENT PERMIT APPLICATION (two days only):  
Higher Ground, Maltex Building Parking, Lot, Art Hop Central, September 7 and 8, 2012,  
4 p.m. – 12 a.m., Dance Party and Fashion Show  
\*waive the reading, accept the communication, place it on file and ratify the two day only special event outdoor entertainment permit application for Higher Ground
- 3.22. COMMUNICATION: Steven E. Jeffrey, Executive Director to Vermont Municipal Officials,  
Re: Candidate Forum Tool Kit  
\*waive the reading, accept the communication and place it on file

- 3.23. COMMUNICATION: Lori Cragin, MS, PhD, State Epidemiologist – Environmental Health, Vermont Department of Health, re: Reappointment of Deputy Health Officer  
\*waive the reading, accept the communication, place it on file and re-appoint Linda Ayer as a Deputy Health Officer
- 3.24. COMMUNICATION: Christine Auer Hebert and family, re: Thank you  
\*waive the reading, accept the communication and place it on file
- 3.25. COMMUNICATION: Haik Bedrosian, Ward Seven School Commissioner to Mr. Keith Pillsbury, Chair, Burlington Board of School Commissioners, re: Resignation  
\*waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to Haik Bedrosian thanking him for his time served on the School Commission; note that the November 6, 2012 Special City Election will hopefully fill this vacancy
- 3.26. COMMUNICATION: Ed Adrian, Ward One City Councilor, re: Resignation  
\*waive the reading, accept the communication, place it on file, advertise the vacancy and send a letter of appreciation to Ed Adrian thanking him for his time served on the City Council; note that the November 6, 2012 Special City Election will hopefully fill this vacancy
- 3.27. COMMUNICATION: Ray, [rkicanoe@msn.com](mailto:rkicanoe@msn.com), re: Bike Path  
\*waive the reading, accept the communication and place it on file
- 3.28. COMMUNICATION: Danny Turenne, re: Queb tax in Burlington  
\*waive the reading, accept the communication and place it on file
- 3.29. COMMUNICATION: Martin Menard, re: Queb's tax  
\*waive the reading, accept the communication and place it on file
- 3.30. COMMUNICATION: Jennifer Tedeschi, re: Smoking Ban on Church Street  
\*waive the reading, accept the communication and place it on file
- 3.31. COMMUNICATION: Rachel Siegel, Vince Brennan, Sharon Bushor, Max Tracy to Mayor Weinberger, re: July 29<sup>th</sup> Protests  
\*waive the reading, accept the communication and place it on file
- 3.32. COMMUNICATION: Erika Renae Keith, Ward Two Inspector of Election, re: Resignation  
\*waive the reading, accept the communication, place it on file and advertise the vacancy in time for the 2013 Annual City Election
- 3.33. COMMUNICATION: Hunter Rieseberg, President VLCT Board of Directors, re: Voting Delegates at the VLCT Annual Business Meeting  
\*waive the reading, accept the communication, place it on file and appoint Mayor Miro Weinberger as the Voting Delegate for VLCT
- 3.34. COMMUNICATION: John Brabant, Vermont DEC Salvage Yard Program to Town Clerk and Certificate of Registration Holder, re: Enclosed Replacement Certificate of Registration  
\*waive the reading, accept the communication and place it on file

3.35. COMMUNICATION: Nick Kinney, Wright and Morrissey, re: W&M Parking Bag Burl DPW  
Renewal

\*waive the reading, accept the communication, place it on file and refer to DPW Director Goodkind for approval

**BOARD OF CIVIL AUTHORITY**  
**MONDAY, SEPTEMBER 10, 2012**

1. AGENDA

2. CONSENT AGENDA

2.01. RESOLUTION: Appointment of Assistant Election Officials  
(Councilor Shannon)

\*waive the reading and adopt the resolution

3. ADJOURNMENT